

REMARKS

The Restriction Requirement of December 26, 2008, has been received and reviewed.

Claims 1 and 3-31 are currently pending in the above-referenced application and are subject to restriction. In making the Restriction Requirement, the Office indicated that “the inventions as claimed are mutually exclusive in that... one method... appl[ies] different amounts of pressure...” to the backside of a semiconductor device structure while the other lacks this requirement. Restriction Requirement of December 26, 2008, page 2. The Office then indicated that one group of claims (claims 1 and 3-15) should be searched under class 216, subclass 88, while the other group of claims (claims 16-31) would have to be searched under class 451, subclass 57.

Neither class 216, subclass 88, nor class 451, subclass 57, is directed to a polishing process in which different amounts of pressure are applied to a surface of a semiconductor device structure. Rather, class 216, subclass 88, is drawn to processes for “etching a substrate” that include “nongaseous phase etching” and, more specifically, “using [a] film of etchant between a stationary surface and a moving surface (e.g., chemical lapping, etc.).” None of the claims (in Group I or Group II) includes any requirement that a film of etchant be located between a stationary surface and a moving surface. Thus, this class and subclass appear to be inapplicable to any of the claims pending in the above-referenced application.

Class 451, subclass 57, is directed to “combined abrading” processes, which are defined as “[m]ethod[s] wherein a workpiece is subjected to at least two abrading operations which are relative to one another and occur either (a) concurrently, but over separately defined work surfaces, or (b) in sequence.” None of the pending claims requires that two abrading operations be conducted. Thus, it does not appear that class 451, subclass 57, is the appropriate location for searching for art that may be relevant to any of the pending claims in the above-referenced application.

Even assuming, solely for the sake of argument, that class 216, subclass 88, or class 451, subclass 57, applies to one group of claims, both of these classes would then certainly apply to both sets of claims, as the class and subclass definitions lack any distinction between embodiments in which different amounts of pressure are applied to different locations on the

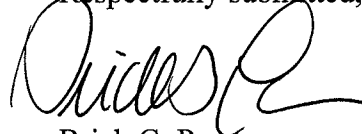
surface of a semiconductor device structure and embodiments in which there is not requirement that different amounts of pressure be applied to different locations on the surface of a semiconductor substrate.

Notably, the definition for class 216, subclass 88, refers to class 438, subclasses 691 *et seq.*, for “chemical-mechanical polishing processes for manufacturing a semiconductive electrical substrate or device.”

In view of the foregoing, an election is hereby made, with traverse, to prosecute claims 1 and 3-15 of group I.

An early and favorable action on the merits of claims 1 and 3-31 is respectfully solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brick G. Power", is written over the typed name.

Brick G. Power
Registration No. 38,581
Attorney for Applicant
TRASKBRITT, PC
P.O. Box 2550
Salt Lake City, Utah 84110-2550
Telephone: 801-532-1922

Date: January 26, 2009
BGP/djp:ec
Document in ProLaw